fssai
FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA
Inspiring Trust, Assuring Safe & Nutritious Food
Ministry of Health and Family Welfare, Government of India
Food License & Registration
(Food Safety Eco System)
By
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West Bengal

# Food License & Registration

- Liabilities & Traceability
- Act
- Rules
- Regulations

# Definition of Food

**Section 3 (j)** "**Food**" means any substance,

- whether processed, partially processed or unprocessed,
- which is **intended for human consumption** and
- **includes primary food** to the extent defined in clause (zk),
- genetically modified or engineered food or food containing such ingredients, infant food,
- **packaged** drinking water, alcoholic drink, chewing gum, and
- any substance, including water used into the food during its manufacture, preparation or treatment
- **but does not include any animal feed**, **live animals** unless they are prepared or processed for placing on the market for human consumption, **plants, prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances**

# Definition of Primary Food

**Section 3(zk)** "**primary food**" means an article of food,

- being a produce of agriculture or horticulture or animal husbandry and dairying or aquaculture in its natural form,
- resulting from the growing, raising, cultivation, picking, harvesting, collection or catching in the hands of a person **other than a farmer or fisherman;**

# Provisions in the FSS Act, 2006

**Section 3 (n) "Food business"**

- means any undertaking, **whether for profit or not and whether public or private**, carrying out any of the activities related to any stage of
  - **Manufacture/processing, packaging,**
  - **Storage, Transportation, Distribution of food [including Wholsale]**
  - **Import and**
  - **Includes food services, catering services,**
  - **Sale of food or food ingredients;**

**Section 3(o) : "food business operator" in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this Act, rules and regulations made thereunder;**

# Responsibilities of Food Business Operator

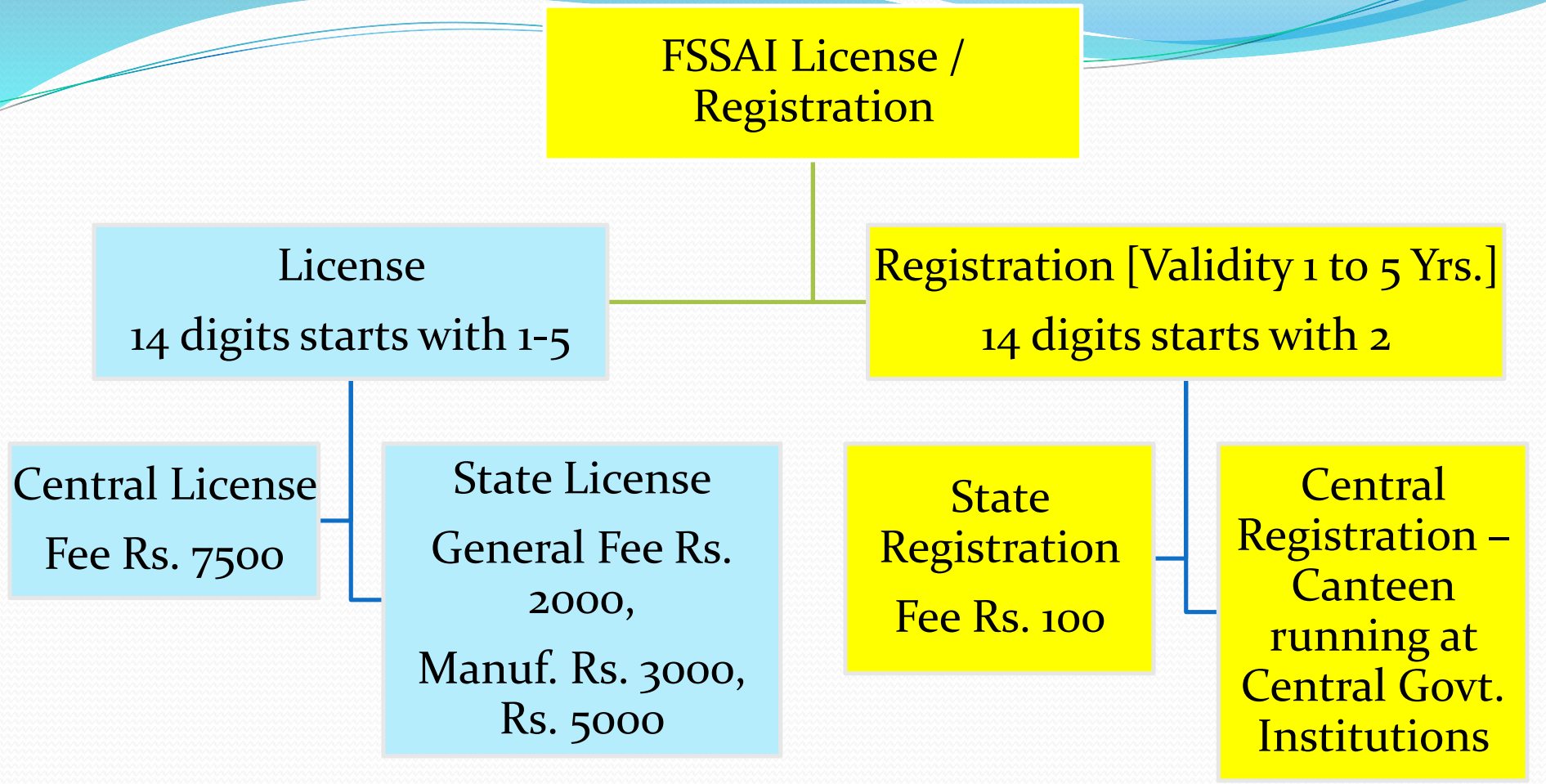
Section 26 of FSS Act, 2006, Every FBO shall ensure that –

- **Adherence to Rules** - Articles of food shall comply with FSS Act, 2006 and Rules and Regulations made thereunder
- No FBO shall manufacture, store, sell, distribute any food –
  - Which is unsafe, misbranded, substandard or contains extraneous matter or in contravention of this act
  - Prohibited by Government
- **Personal Hygiene** - No FBO shall employ person suffering from contagious disease
- **Traceability** - No transaction with other FBO without Form of Guarantee i.e. bill/cash memo / invoice
- **Wholesaler / distributor / Seller shall be liable** if food article –
  - Supplied after expiry date
  - Stored in the conditions in violation of the instructions provided by the manufacturer
  - Unsafe / misbranded
  - Unidentifiable of manufacturer

# Section 31 - Licensing and Registration of food business.

- **31(1)** - No person shall commence or carry on any food business **except under a License.**
- **31(2) -** Nothing contained in sub-section (1) shall apply to -
  - petty manufacturer **who himself manufactures or sells** any article of food or
  - a **petty retailer, hawker,**
  - **itinerant vendor or**
  - **a temporary stall holder** or
  - **small scale or cottage** or such other industries relating to food business or tiny FBO.

  **Petty Manufacturers shall have to register themselves**
- License / Registration -> Responsibility of Operation by the Entity -> Linked to Premises -> **One Premise, One Entity, One License/ Registration for any number of food business activities/KOBs**
- DO may **either grant the License or may refuse to grant the License**. An **appeal** against the order of rejection for the grant of license shall lie **to the Commissioner of Food Safety. – u/s 31 (8) and 32 (4) – (5)**




- **Airport / Seaport License – Rs. 7500**
- **License at Railway Stn – Rs. 2000, Registration – Rs. 100**
- **Fee for Hawkers – exempted wef 28th September 2024**
- **Fee for Anganwadi – exempted wef 12th March 2025**

# Eligibility for License / Registration

## State License

- **General Manufacturers** – Upto 2 MT/day

**[Fee: Rs. 3000 and Rs. 5000]**

- **Dairy Unit – upto 50000 LPD**
- **Meat Processing – upto 500 Kg / day**

- **Other Businesses like Restaurant, Trade / Retail** – Turnover Upto Rs. 20 Crore per annum **[Fee Rs. 2000]**

- **Hotels** – upto 4 Stars

**[Fee Rs. 2000 and Rs. 5000 for 3 and 4 star Hotels.]**

## Central License [Fee: Rs. 7500]

- **General Manufacturers** – More than 2 MT/day or manufacturing **Proprietary Foods, Non-Specified Foods, Nutraceuticals and related products or involved in Radiation Processing of Foods**

- **Other Businesses** – Turnover more than Rs. 20 Crore per annum

- **Hotels** Five Star and above
- **Importer/Exporter** of Food
- **E-Commerce FBOs having their platforms**
- **Head Offices**
- Premises located at Central Govt Establishments and at Railway Stations, Airports or Seaports.

Ayurveda Aahara – only Central License

Registrations by FSOs to Seasonal Food Businesses

# Non-requirement of FSSAI Registrations

Following categories of FBOs have been kept out of the list of FSSAI Registration **subject to adherence of conditions by parent entities-**

- **Producer of milk** who is a registered member of a dairy Cooperative Society registered under Cooperative Societies Act and supplies the entire milk to the Society
- **Last mile delivery Persons**
- **Direct Sellers**
- **Food Carts/Vendors of a food chain**
- **Vending Machines/Food ATMs**

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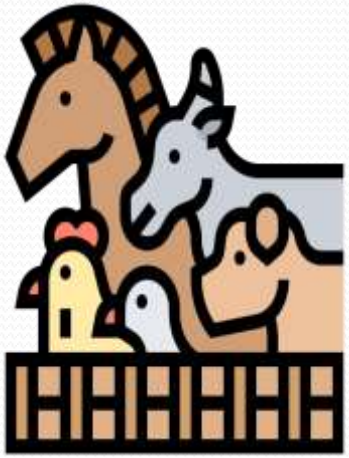
# The provisions of FSS Act shall not apply to

Farmer

Farming operations

Crops/ products of farm

Supplies used in farm/ for livestock



Livestock

Aquaculture

Fisherman

# Exemption from Registration

**To last mile delivery persons, direct sellers, food carts, food vending machines, water vending machines, food ATMs or similar units**

**Conditions to avail exemption from Registration –**

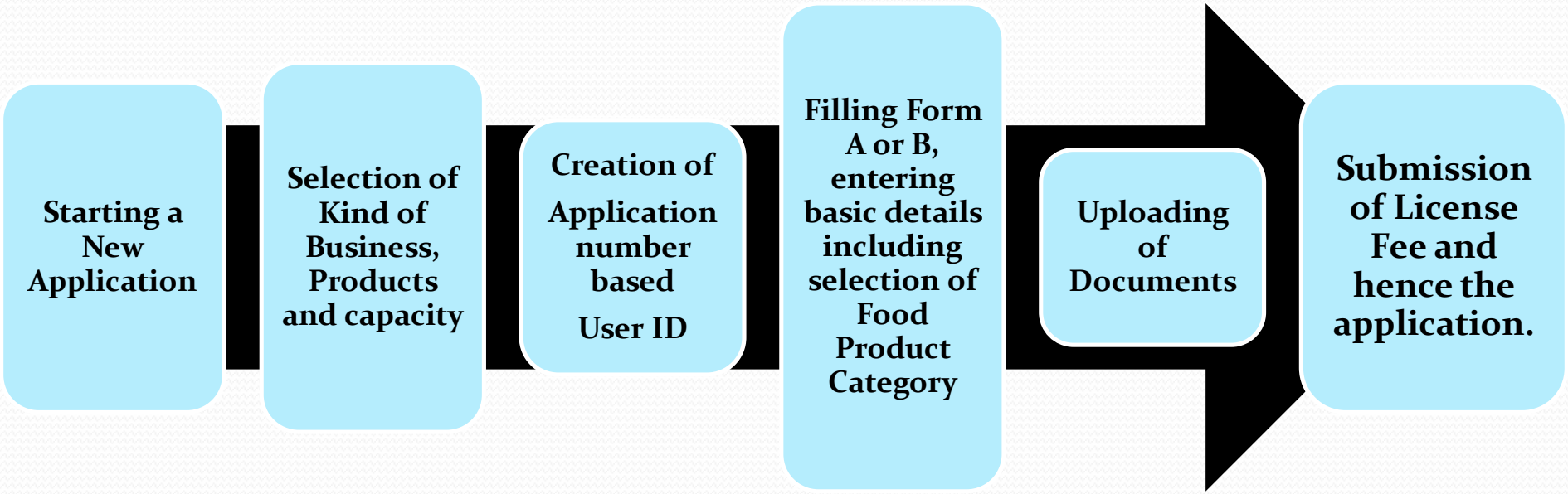
- **Maintain the database/record** of all such individual entities/units.
- **Issue ID Cards (digital/physical),** bearing unique identity number and main entity/ unit's FSSAI License number.
- Ensure that the **individual FBO entity/unit shall display Name and FSSAI License number** of main entity.
- **Facilitate the training** of individual entities/units under FoSTaC program
- Ensure the **hygienic and sanitary conditions by individual** entities/units
- Ensure that **annual turnover of individual entity/unit** falls under the criteria for registration

# E-Commerce Licensing

- Definition
- Who all are covered? And who are not - Sellers?
- Which premises to License? State / City-wise license?
- Online Liquor?
- Storage / Warehouse License
- FSSAI License / Registration number to be printed on invoices

# Major Steps for filing of application by an FBO

**License/Registration Application Flow**

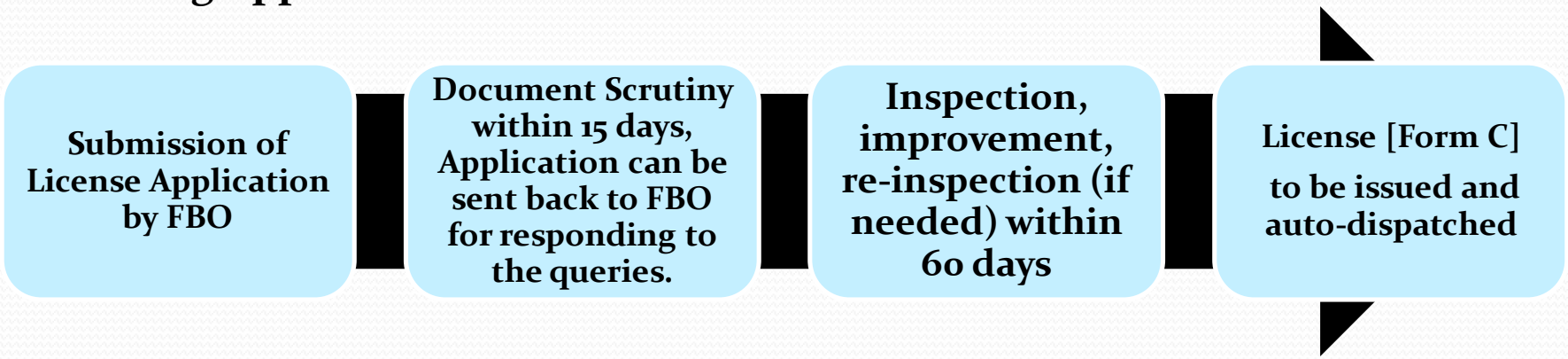

Starting a New Application
Selection of Kind of Business, Products and capacity
Creation of Application number based User ID
Filling Form A or B, entering basic details including selection of Food Product Category
Uploading of Documents
Submission of License Fee and hence the application.

**A 17-digit application reference number is generated for future references.**

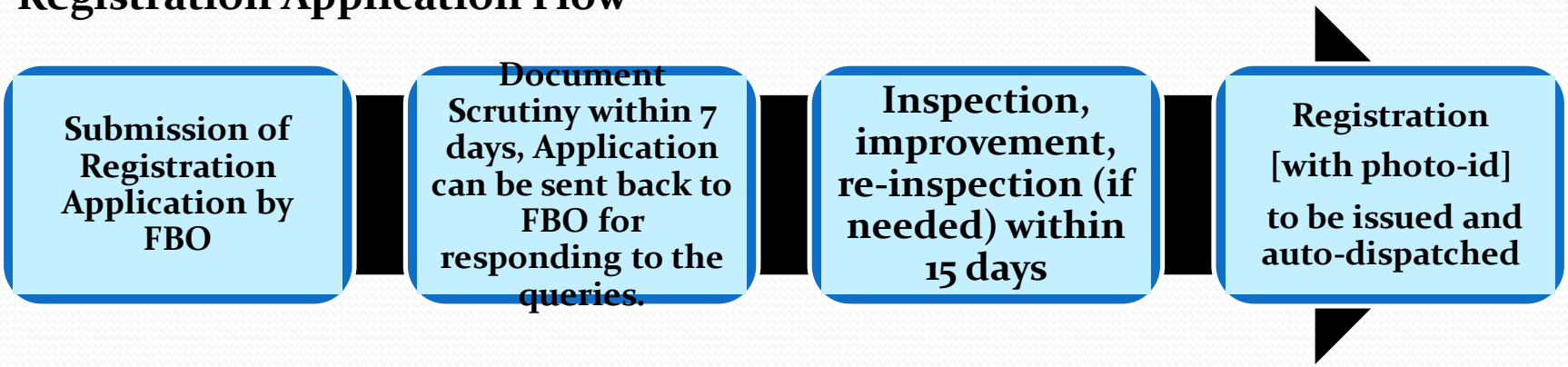
**Application for Registration can also be filed through Food Safety Connect Mobile App**

# Processing of License/Registration Applications by DOs/FSOs/RAs

## Licensing Application Flow


Submission of License Application by FBO
Document Scrutiny within 15 days, Application can be sent back to FBO for responding to the queries.
Inspection, improvement, re-inspection (if needed) within 60 days
License [Form C] to be issued and auto-dispatched

## Registration Application Flow


Submission of Registration Application by FBO
Document Scrutiny within 7 days, Application can be sent back to FBO for responding to the queries.
Inspection, improvement, re-inspection (if needed) within 15 days
Registration [with photo-id] to be issued and auto-dispatched

# Kind of Businesses

## Petty Food Business Operators

## Manufacturers

- General manufacturers/Relabellers/Repackers
- Dairy Units including Milk Chilling Units
- Vegetable Oil Processing Units
- Meat Processing
- Slaughtering House
- Fish Processing
- Proprietary Food
- Nutraceuticals Health Supplements
- Substances added to foods
- Non-specified food

## Trade/Retail

- Storage
  - Cold/Refrigerated
  - Atmospheric CA/Cold CA
  - Without Atmospheric Controlled + Cold
- Transporter
- Wholesaler
- Distributor
- Retailers
- Importers/Exporters
- E-Commerce
- HO/RO

## Food Services

- Hotel
- Restaurants
- Club/Canteens
- Caterers
- Hawkers
- Food Vending Establishment

# List of Documents

- Form-B Duly completed
- Blueprint/layout plan of the processing unit
- List of Directors/Partners/Proprietor/Executive Members of Society/Trust
- Name and List of Equipments and Machinery
- Photo I.D and address proof of Proprietor/Partner/Director(s)/Authorised Signatory
- Form IX
- Analysis report (Chemical & Bacteriological) of water to be used as ingredient
- Proof of possession of premises. (Sale deed/ Rent agreement/ Electricity bill, etc.)
- Partnership Deed/Affidavit of Proprietorship/MoA
- NOC & Copy of License from manufacturer (mandatory for relabellers and repackers only)
- Recall plan wherever applicable
- NOCs from Municipality or local body

# Documents Wherever required –

**Provision for Online NOC from Manufacturers – for relabellers**

- **BIS Certification not mandatory before grant of new license, but BIS application receipt is required**
- **Form IX is not required in case of Proprietorship**
- **Product Specification Document in certain categories**
- **NOC from manufacturer is not required in case of Repacker on owning of compliance**

# Advisory on Document for proof of Premises

i. **Sale deed/ Rent or lease agreement** (it should have validity of at least six months on the date of the license application)

ii. **Proof of address** issued by Government Authority (such as Voter ID, AADHAAR etc.) in case of self- owned premises.

iii. **Documents relating to Premise Registration by Land Authority.**

iv. **Property Tax Receipt** [of within one year] or valid **Insurance** of the premise or valid **Fire Safety Certificate.**

v. **Utility Bills** from Government Authorised/licensed utility service provider (e.g. Electricity or Water Bills, Broadband Bills, Gas connection, etc.) [Bills should not be older than 3 months on the date of license application].

vi. **Any other document issued by Government/ Govt. nominated agency** for that premise.

# Advisory on Sharing of Workspace by FBOs

- Applicable to food businesses where no food inventory is being managed -

i. Re-labeller
ii. e-Commerce
iii. Importer [If Import Export code (IE code) is issued on same location]
iv. Trader/Merchant – Exporter [If Import Export code (IE code) is issued on same location]
v. Food Vending Agencies
vi. Transportation
vii. Head Office/Registered Office

# Timelines for granting License / Registration

In case of no response by authority in stipulated time

- **License** [application in Form B] – 60 days from last submission by FBO – to be granted in format of 'Form C'
- **Registration** [application in Form A] – 7 days from last submission of FBO
- **Tatkal issuance** of Lic / Reg [with 1 yr validity] - wholesalers, distributors, retailers, transporters, storage without atmospheric control, importers, food vending agencies, direct sellers, merchant-exporters, petty retailers of snacks/tea shops and hawkers(itinerant / Mobile food vendors)

## Auto-generation of License / Registration

- If above timelines not followed by the licensing / registration authority
- Auto-rejection in case FBO does not reply in 30 days
- Self-Reactivation by the FBO
  - No fee [in case activation is done within 30 days of auto-rejection]
  - 500/- for License [in case activation is done between 31st-60th day of auto-rejection]
  - 50/- for Registration [31st-60th day of auto-rejection]

# Renewal of License/Registration

Window for Renewal of License/Registration made available to FBOs as early as **180 days prior to expiry date**

**Instant Renewal of License and Registrations – based on the self declaration of the compliance by the food businesses.**

**Provision for Renewal of License / Registration after expiry date [wef 29th Oct 2021]:**

a) **With three times the penalty of annual fee – till 90th day of expiry date**
b) **With five times the penalty of annual fee – 91st day to 180th day of expiry date**

- **Notification through SMS/Email to FBOs in last 180 days, prior to expiry**
- **Notice for closure of Food Business – on the next day of expiry + 7 times during 180 days after expiry.**

**Modifications, Expansion or Changes in premise(s) after grant of license or registration -** FBO shall intimate any kind of Modification/Expansion/ Changes in premises or any other info mentioned in application of license, to CLA.

**Allowing Modification of License with retaining the same license number –**

- Change of Category between State to Centre or vice versa
- Change of Premise
  - Application Flow – initial authority to approve migration within 15 days.

**Instant Modification of License – in case of addition of Non-High Risk Food Products under General Manufacturing and Vegetable Oil Processing KOB**

Fee for Modification –

Rs. 1000 for License plus differential amount in case of change of category

Rs. 100 for Registration

No fee – in case of change of details submitted earlier which does not reflect on license / registration.

# Endorsements in License/Registration – Organic, Fortified Food [+F] and Vegan Food

- **Only after grant of License/Registration, No fee for Endorsements**

## Organic Endorsement

- Document - Certificate from NPOP / PGS – India
- Validity – 1 yr.

## +F Endorsement

- Lab report showing level of fortificants as per FSSR
- Valid till the validity of license / registration, no need to renew

## Vegan Endorsement

- Approval Letter from Science and Standards Div, FSSAI
- Valid till the validity of license / registration, no need to renew

Jaivik Bharat

+F

VEGAN

# Annual Returns

**Return – Form D1**

- Every Manufacturer and Importer has to file his annual return according to Form D1 by **31st May of each year**.
- Only through FoSCoS wef FY 2020-21
- Any delay in filing return beyond 31st May of each year shall attract a penalty of **Rs 100 per day of delay**
- **Maximum Penalty – 5 times the Annual License fee from FY 2021-22 onwards**
- **Submission of Annual Return [wef FY 2021-22 onwards] and penalty [if any] before filing the renewal of license is mandatory. [10th Nov 2022 onwards].**

# Provision for Revision of Annual Returns

2. Presently, FBOs [Manufacturers and Importers] are allowed to revise/update the already filed annual returns only till the last date of submission i.e. by 31st May. In this connection, with the approval of Food Authority, the **provision to update/revise Annual Return in FoSCoS after 31st May has been enabled** to rectify inadvertent mistakes subject to the following conditions and fees:

i. **Compliant FBOs who have filed Annual Return by 31st May of following year:** Revision of annual return is allowed maximum of two times and the last submitted annual return will be considered as final. The **revised filing fee** applicable is as follows:
   a. Revising within Three months i.e. by 31st August of following year: **One-year license fee + GST**
   b. Revising beyond Three months i.e. 01st September to 31st March of following year – **Two-year license fee + GST**

ii. **FBOs who have filed Annual Return beyond 31st May of following year with late fee:** Only one time revised/updated filing of annual return is allowed till 31st March of the following year, with **revised filing fee equal to Two year license fee + GST**

iii. **Revised filing of Annual return is not allowed for the original annual returns filed beyond 31st March of the following year**. For ex. if an FBO files delayed annual return [first time] for FY2022-23 on 01st April, 2024 [for which due date was 31st May, 2023], in such cases, FBOs are not allowed to file revised return.

# Use of Annual Returns

- At least 10 percent Annual Returns shall be analysed on random basis.
- Provision for filing 'NIL' Annual
- Tells about whether FBO is actually conducting food business
- Tells about the size of food businesses – no. of food handlers, productions
- Tells about the food business whether it has obtained the license as per correct eligibility
- FBO can be penalised under Section 61- false information if the provided information in annual returns proves false.

# Responsible persons at Food Units

1. **Authorised Signatory/ Proprietor – for applying License**
2. **Technical Person incharge of Operation** having degree as prescribed in Condition of License.
3. **Person responsible for Complying with Condition of License** – Nomination to be filed in Form IX of FSS Rules. He is responsible for any type of communication with Licensing Authorities.

**He is the nodal person for the FBO to handle Consumer Grievances, until or unless FBO designates any other person for this purpose.**

Any change in the nominations shall be conveyed to* Licensing Authority.

# Condition of License

- Display **true copy of License**
- Give necessary access to Licensing Authorities to the premises
- Inform authorities about any **change or modification** of activities
- **Employ atleast one technical person** having prescribed qualification or Food Safety Supervisors.
- **Furnish periodic Annual Return** (Form D-1 )
- **No product other than indicated** in License shall be produced
- **Maintain Factory's Sanitary and Hygienic standards**. Also Workers' hygiene and health check-up as prescribed in Schedule-4 to be done on regular intervals.
- **Maintain daily records of production, raw materials utilizations and sales etc.**

...contd/-

# …contd/-

- **Source and standard of raw material used is of optimum quality**
- **Testing of relevant chemical and /or microbiological contaminants of food products** in accordance with these regulations (Apr-Sep, Oct-March with at least three months gap)
- Mandatory Uploading/ Linking of Lab test report on Six monthly basis.
- **Required temperature shall be maintained** throughout the supply chain
- Manufacturer/Importer/Distributor **shall buy or sell food products only from, or to Licensed/Registered Vendors** and should maintain record thereof
- Hotels/Restaurant and other food stalls shall put up a notice board containing separate lists of articles which have been cooked in ghee, edible oil, vanaspati & other fats for information to purchaser

# Implementation of Risk Based Inspection Scheduling

**FSSAI has issued comprehensive guidelines on Risk Based Inspection Scheduling on 2nd May 2022.**

**Key features of the issued guidelines-**

- Provisions of the inspection plan **is incorporated in the FoSCoS** for systematic allotment of inspection to DOs/FSOs **wef FY 2022-23**
- Commissioner of Food Safety of any State/UT may give directions to Designated Officers **in addition** to already allocated inspections by the FoSCoS
- **Redefining High Risk categories**
  - ✓01 - Dairy products and analogues
  - ✓08 - Meat and meat products including poultry
  - ✓09- Fish and fish products, including molluscs, crustaceans, and echinoderms
  - ✓10 - Eggs and egg products
  - ✓13- Foodstuffs intended for particular nutritional uses
  - ✓16- Prepared Foods
  - ✓***[New] 18.1- Indian Sweets***
  - ✓***[New] 99.5 – Nutrients and their preparations (Fortified Rice Kernels only)***

# Highlights:

- **Prioritising the inspections** of Food Businesses involved in High Risk Categories
- **Mandatory sampling** of food products while inspecting the premises.
- **Exemptions for a specific time** from inspections on the basis the score of Third Party Audit and Hygiene Rating
- Provision for **mandatory Annual Third Party Audit for the Centrally Licensed Manufacturers/Processors** involved in high risk food categories.
- The concerned Commissioners of Food Safety **may mandate the Third Party Auditing for high risk manufacturers/processors.**
- Mandatory inspection explicitly in cases of **Complaints/food safety emergency/expired licenses [At least 1% of expired licenses to be inspected, primarily manufacturers/processors]**
- **Mandatory inspection in case of report of major non-conformity** compliance during Third Party Audit or Hygiene Rating Scheme.

## Inspection Plan

| S.No | Kind of Business (KoB) | Food Product Category | Frequency of Mandatory Inspection |
|---|---|---|---|
| i | Manufacturer / Processer | 1, 8, 9, 10, 13, 16 & 18.1, 99.5 (Only FRK) | Once a year |
| | | Other than FPC 1, 8, 9, 10, 13, 16, 18.1 & 99.5 (only FRK) | Once in every two years |
| ii | Food Service Establishments* | All licensed FBOs | Once in every two years |
| iii | Storage (Frozen, Refrigerated & Controlled Atmosphere)* | All licensed FBOs of Milk and Milk products, Fish and Fish products, Meat and Meat products i.e FPC - 1, 8 and 9 | Once in every two years |
| iv | Transporter (Frozen & Refrigerated)* | | Once in every two years |
| v. | Other KoBs | 5 % of licensed FBOs and 2 % registered FBOs selected randomly or on the basis of the risk profile | Once a year |

## Exemptions from Inspection

| S.No | Eligible KoB | Criteria | Exemption |
|---|---|---|---|
| i. | All KoBs | Obtaining 80% or above score in FSSAI's Third Party Audit. | 2 years (two Financial Years i.e. First FY, in which Third Party Audit is conducted and succeeding FY) |
| ii. | Food Service Establishments, Meat Retail Shops, Sweet Shops, Bakery Retail Shops | Hygiene Rating 5 Smileys (Excellent) | 2 years (two Financial Years i.e. First FY, in which Hygiene Rating Certificate has been awarded is conducted and succeeding FY) |

# National Annual Surveillance Plan

- Guidelines for Lifting Surveillance Samples
  - To be lifted from manufacturers primarily
  - Sample procedures to be as per Rules
  - Sample code to be provided
  - Enforcement Samples shall be drawn based on the results
- Commodities Decided for FY 2023-24 and FY 2024-25
- Limited parameters for testing to limit the cost of testing

- Apart from NASP, FSSAI gives directions for monthly surveillance drives.

# Audits and Hygiene Ratings

- **Scheme of Third Party Audits** for Manufacturers
  - Mandatory for High Risk [CL] Manufacturers to undergo Audit once per year
  - Other FBOs may voluntarily undergo audits
  - Approx 30 TPA agencies have been empaneled by FSSAI
- **Hygiene Rating Scheme for Food Service Establishments**
  - Voluntary Scheme
  - Based on hygiene practices, FBOs rated on a scale of 1 to 5
  - **QCI enrolls Hygiene Rating Agencies**

# Utilities of FoSCoS

- Access to FBO's history in single click
- New version of FoSCoRIS –
  - Provision for inspection of non-licensed/registered FBOs.
  - Provision for inspection of moving vehicles / trucks
  - Generating Form VA and VI after collection of sample
  - Offline recording of observations
- Prosecution and Adjudication flow
- User ID Solution
- GPS tagging of Food Businesses
- Smart MIS system for Authorities to plan day to day enforcement action
- One point stop for FBOs for all food safety regulatory requirement
  - Integration with FICS, Infolnet and FoSTaC
  - Maintaining FBO's complete compliance history upto adjudication, food recall and food safety emergency response

Utilities available at FoSCoS – Homepage

- Search Standardised Food Products
- Know your Eligibility
- Know your Officer
- Search any Food Business on the basis of name, license number or food commodity
- User Manuals, Help Topics, FAQs, Helpline Numbers

- Ease in Procedure for filing Applications for FSSAI License and Registration
- File application for Registration and Stay Connected with News – **Food Safety Connect App**
- FoSTaC Training
- Food Safety Mitra
- FoSCoS has also been linked with NSWS
- Licensing Authorities to focus on Manufacturers –
  - Old FLRS Licenses
  - Annual Returns
  - Form IX Nominee – upto date
  - Login Credentials

# Consumer Awareness / Interests

- **Mandatory display of License / Reg number** on Sale Receipts etc.
- **E-Commerce portals**
  - to mandatory list only FSSAI Licensed / Registered Food Businesses
  - Shall show all mandatory information
  - Shall ensure minimum shelf life or display expiry date
- **Food Safety Connect App**
  - For Consumers to lodge food related grievances
  - For Businesses to stay connected with FSSAI's news / updates
  - For Small Vendors to file registration application
- **Commodity based Search** of Food Businesses on FoSCoS Homepage – to locate specific FBOs in a area.

# Assistance to FBOs in L & R related matters

**Resource Material Available for Self Assistance -**

- User Manual and Tutorial Videos
- Comprehensive FAQs on Licensing and Registration
  - Available in several regional languages

**FSSAI Helpline @1800112100**

- Stationed at Noida with 12 Executives
- Available from 7 AM to 11 PM all 7 days

**Food Safety Mitra [Assistance at fixed charges]**

- Enrolled through Online Examination
- Passing Marks 75%
- With Security Deposit of Rs. 5000
- FSM Certificate for 2 Yrs.
- Charges
  - ✓ License – Rs. 500
  - ✓ Registration – Rs. 100

FOOD SAFETY MITRA
Friend of Food Safety

# Food Safety Connect App

- **For Consumers**
  - To search Licensed / Registered Food Businesses
  - Lodge Food Related Grievance
- **For Food Businesses** –
  - Easy procedure for applying registration by small vendors
  - Quick Links to FAQs, Guidance Notes, Orders / Advisories
  - Information on FSSAI Initiatives

**Other tools available on FoSCoS for consumers**

- FBO Search
- Commodity wise – Production Capacity / Qty Produced in a year
- State-wise Population to FBO ratio [based on monthly data]

Any Questions!!!

Online Demonstration of

**Food Safety Compliance System (FoSCoS)**

Website : http://www.foscos.fssai.gov.in

**Assistance for Food Businesses:**

- Toll Free Helpline no. 1800112100 (7AM – 11PM on all 7 days)
- Email: helpdesk-foscos@fssai.gov.in
- Comprehensive FAQs on Licensing and Registration
- Food Safety Mitra

  [Fixed Charges: License – Rs. 500, Registration – Rs. 100]

# Recent Developments in Food Safety Compliance System [FoSCoS]

# New Functionalities of FoSCoS - 2025

- Reporting of Food Borne Illness incidents – FSOs / DO
- Reporting of Food Recall - DO
- Action on Misleading Claims – DO
- Registration to Temporary Food Businesses [Max validity 3 Months] – upcoming
- Prosecution Flow – upcoming

The key developments in FoSCoS for providing Ease to Authorities in conducting

Enforcement Activities:

**a) Rule position based Queries on Licensing / Registration applications**

- **For Transparency and Accountability** - While raising queries on the application, Licensing / Registration Authorities have to mention the FSS Act / rule/ regulations / orders /advisories issued by FSSAI
- One query per row.

**b) Recording of Follow-up actions on Enforcement Activities**

- Provision is created to mark/record comments on follow-up actions related to various enforcement activities i.e.
  - Sampling (Surveillance/Enforcement)
  - Audits
  - Hygiene Rating Report
  - Improvement Notices
  - Inspection Report
- This allows for better tracking of legal proceedings and ensures proper enforcement measures are taken.

**c) Availability of Draft Improvement Notices**

- Provisions for all DOs to issue draft Improvement notices to defaulting FBOs on following non-compliances
  - Non-Submission of Annual Returns
  - Non-modification of old Methodology Licenses

**d) Search of FBOs based on non-compliance parameters**

- FBOs can now be searched based on specific non-compliance parameters under **'Search Inspection Report'** e.g. Water test report

**e) FBO Wise Consumer Grievance Report**

- The dashboard now includes FBO-wise Consumer Grievance Report.
- This report helps identify FBOs against whom the most complaints have been lodged.

**f) Risk-based inspection module has been made live for FY 2024-25:**

- The risk-based inspection module has been launched for FY 2024-25 in FoSCoS:
  - Manufacturers of High Risk Categories – Every year

- Manufacturers of non-High Risk Categories, Food Services, Storage and Transporters of Milk, Meat and Fish

**– Once in two years**

- 5% of Remaining Licensed FBOs – **Every year**
- 2% of all Registered FBOs – **Every Year**

**g) User ID Management by Designated Officers**

- DOs now have the provision to manage FoSCoS user IDs of RAs & FSOs under their jurisdiction through their login

- This helps streamline the management of user access and responsibilities.

**h) Ease in Processing of Applications**

- A comparison button for concerned Authorities to compare modification applications and previously submitted applications

**i) Pending application status for FRK manufacturers**

- The dashboard now displays the pending application status of FRK manufacturers to expedite the process.

**j) Launch of Adjudication flow**

- Process of initiating civil cases in the case of adjudication has been made digitized in FoSCoS
- This helps real time monitoring of cases and fetching the records such as number of cases launched and decided, penalties raised etc.

**k) Digitized provision for following :**

- Importance of Timely updation of details of lifted sample
  - **FORM VA**: Form of Notice to the Food Business Operator while taking sample of food for analysis **[Rule 2.4.1. (3)]**
  - **FORM VI**: Memorandum to Food Analyst **[Rule 2.4.1(11)]**
  - **FORM VIA**: Memorandum to the Director, Referral Lab **[Rule 2.4.6]**
  - **DO Slip number**: Introducing digital DO Slip Numbers for sample assignment in FoSCoS **[Rule 2.4.1 (9)]**
  - **Notice by DO regarding lab report intimation to FBOs and online appeal by FBO for referral lab testing**

**m) Access to Data Analytics Tool (DAT) to Food Safety Commissioners**

- Enabling Real-time data access for Food Safety Commissioners within their jurisdiction

**n) DO to DO request for FBO history**

- Enable the provision to all DOs to initiate requests to other DOs for Food Business Operator (FBO) history details such as 'Application Processing History,' 'License/Registration History,' 'Penalty' records, Annual Return data.' etc.

**o) Implementation of National Annual Surveillance Plan [NASP]**

- FSSAI, vide Order **RCD-05007/1/2021-Regulatory-FSSAI-Part(3)** dated **11th Aug 2023** has implemented **National Annual Surveillance Plan [NASP]** for **FY 2023-24** & **FY 2024-25**
- The key features of the said plan are as below:
  a) **Establishment of General Principles:** Uniform guidelines for surveillance sample procedures.
  b) **Targeted Commodities Quarterly:** Quarterly selection based on seasonal and regional availability
  c) **Food Category-Wise Parameters and Testing Fees:** Testing parameters defined for categories and corresponding laboratory fees are specified.
- Special focus to primarily lift from **manufacturing units** within the FSO's jurisdiction

**p) Strengthening the Quality Control Mechanism of Fortified Rice, Fortified Rice Kernels [FRK] and Premix for FRK**

- FSSAI vide Order dated 8th Nov 2023 mandated Manufacturers of FRK and Premix to upload the lab report of every batch of production
- FBOs are no more allowed to manufacture FRK/Premix under Registration Certificates

**q) Empowering Women, Transgender Entrepreneurs & Specially Abled in Food Business**

- To foster equal opportunities by facilitating the participation of Women and Transgender entrepreneurs
- Provision in FoSCoS for the categorization of application under the 'Special Category' to process such applications in **1:1 ratio** with 'General Category' applications.

# FoSCoS

Food Safety Compliance System

- Single platform to cater all FB regulatory requirements
- Integrated: FoSCoRIS, InFoLNet, Audit Management , Hygiene Rating
- Shifting of Focus from Licensing to Compliance
- Generalised Approach – FAQs / Advisories / SOPs
- Specific approach – Sector wise FSSAI –FBOs quarterly meetings

# FLRS to FoSCoS

- Simplified Login page for petty FBOs. (Registration purpose)
- Addition of New KoBs
  - Food Supplements/Nutraceuticals,
  - Substances Added to Food
  - Novel food for manufacturers
- Selection of Standardized Products under Manufacturing KoB
- Modification of License for existing Licensed FBOs under Manufacturing KoB
- Provision of capturing GST, PAN and CIN number is added in license application. (non-mandatory at present)
- Provision for Capturing FSM ID/FoSTaC Certificate number/Head Office in Form B
- KoB-wise documents. Declaration based documents are converted to Tick based.
- Instant Availability of Inspection Reports to FBO
- Pan-India Uniform Format of Licenses and Registration Certificates.

# Licensing based on standardized product list

For Manufacturer: licensing based on standardized list of products

- Standardized list of products: Rule level
- Sub Rule OR individual product if – only FCS is different or sensitive product
- For Manufacturers only- **other KoB** still on broad category
- New **Category 100** introduced for products whose Food Product Category is not available at present such as Pan Masala, Royal Jelly, Colostrum & Colostrum based Products, Silver Leaf etc.
- New Category **101** introduced for Hemp seeds & Seed Products
- **Category 99**- still on text box approach
- *Separate tab for Non specified Food & Food ingredients*
- Some concordance based on interpretations- consultation with Standards
- **Existing State Licenses under Category 15-16**: FBOs required to opt under correct KoB and Food Product Code ( IFC). FBO may also be needed to migrate from SL to CL due to products falling under proprietary food.
- Inclusion of Category **18** – Indian sweets, Radiation Processing of Food & Mouth Freshner ( 5.2.4)

# Licensing and Registration in FoSCoS

- **Better User Interfaces and Enhanced Speed** to cater to the large volume of user traffic [approx. 20000 concurrent users]
- **Procedure for Licensing and Registration Simplified**
  - End to End Online Procedure
  - **Food Safety Connect App** for filing applications for Registrations by Petty Vendors
  - **Standardisation of Documentation** [ Manufacturers – 10, Others – 05]
  - Availability of Sample Documents for licensing application
  - **Online Grant of NOC** by Manufacturers to Relabellers
  - Capturing Location of Food Businesses - DO can make informed decision

# Cont..

- **License number / Application number based FoSCoS user-ids**
- **Instant Modification** for addition of Non-high Risk Food Products by Manufactures
- **Instant Renewal of Licenses / Registration** [without requiring approval of authorities]
- **Same License number – in case of change of category / premises**
- **Provision for renewal of Lic/ Reg after expiry**
- **Mandatory Modification of Old Methodology Manufacturing License**
  - **No more renewal of Old Method Licenses. List available on DO's Dashboard**
- **Reduction in initial Application Fee for License – Rs. 1000 + GST**
  - To encourage New Businesses / Start-ups
  - To avoid complete loss of license fee of FBOs in case of rejection

# Auto-generation of License / Registration

In case of no response by authority in stipulated time

- License – no response within 60 days from last submission by FBO
- Registration – No response within 7 days from last submission of FBO

- Only in case of Online Payments
- Auto-rejection in case FBO does not reply in 30 days
- FBO can raise online request for reactivation of auto-rejected application within 15 days of rejection.

# Post Licensing Compliance

Apart from adhering to Schedule 4 [FSMS] at all the times during the operation of food business activities, following are the mandatory compliances -

- Online Annual Return from FY 2021-22
  - Features
  - Penalty due to late submission
  - Linking with Renewal of License
- Product Testing [atleast once in six month] and uploading the lab test report on FoSCoS from FY 2022-23
- Display of Lic / Reg no. on sale receipts and invoices wef 1.1.2022
- Only to Buy/Sell from Licensed / Reg Vendors
- Third Party Audits by CL High Risk Manufacturers
- Endorsements – Organic, +F and Vegan [in case of display / claim made on the label]

# Digitisation of Enforcement Activities

- **Enforcement activities using Digital Mode** [viz. inspection, sampling, improvement notices]
  - **FoSCoRIS App to conduct online inspections** to capture location, images
  - **Risk Based Inspections** – Automatic allotment of inspections to field officers based on the risk associated with the FBOs
  - **Provision for Sampling** – Enforcement, Surveillance, Label Scrutiny, Capturing Location, Enabling Digital Authentication
  - Further, **FoSCoS is integrated with InFoLNet** – for online availability of lab test report of lifted samples
  - **Standardised format for issuing online Improvement Notices** under Section 32 of FSS Act, 2006
    - Notices can be linked with latest inspection report/findings, Audit or Hygiene Rating

# Cont…

- Provision for recording of **Subsequent Action Taken** on Enforcement Activities.
- **Building online FBO History**, available to all jurisdictional officers in one click.
- Provision for conducting **inspection of Expired Licenses**
- Provision for submission of **Response by the FBOs on the Notice for closure**
- **Data Analysis** based on Annual Returns Data
- Through CFS window – **details of FBOs of other State** can be fetched
- DO to DO sharing of FBO details – under Development
- DO can **upload physical documents** pertaining to FBO to create online documentation for future purposes

# Comprehensive Search

**For Authorities –**

- **Comprehensive Search Console** for making search based on Food Categories, Products, FBO's expiry date etc.
- **Master Dashboard**

**For Consumers [available on FoSCoS Homepage]**

- Based on the area
- Based on the products
- Based on the Organic /Fortification Endorsement
- Category-wise No. of Active Food Businesses in an area [till District Level].

# Endorsements in License/Registration – Organic, Fortified Food [+F] and Vegan Food

## Organic Endorsement

- Document - Certificate from NPOP / PGS – India
- Validity – 1 yr.

## +F Endorsement

- Lab report showing level of fortificants as per FSSR
- Valid till the validity of license / registration, no need to renew

## Vegan Endorsement

- Approval Letter from Science and Standards Div, FSSAI
- Valid till the validity of license / registration, no need to renew

Jaivik Bharat

+F

VEGAN

# Food Safety Connect App

- **For Consumers**
  - To search Licensed / Registered Food Businesses
  - Lodge Food Related Grievance
- **For Food Businesses –**
  - Easy procedure for filing application by small vendors
  - Quick Links to FAQs, Guidance Notes, Orders / Advisories
  - Information on FSSAI Initiatives

**Other tools available on FoSCoS for consumers**

- FBO Search
- Commodity wise – Production Capacity / Qty Produced in a year
- State-wise Population to FBO ratio [based on monthly data]

fssai FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA
Ministry of Health and Family Welfare, Government of India

FoSCoS
Food Safety Compliance System

Eat Right India



NEW Exempted - Registration Fee for 'Hawkers - Street Food Vendors' wef 28th Sep 2024. Click Here | NEW Mar

Standardized Food Products

View all FSSAI Standardized Food Products Clubbing of variants of food products

Eligibility of your food business

View all Eligibility Criteria Details

License/Registration | Know Your Officer | FBO Search | How to Apply | Application Processing | License Kit

NEW Apply for Tatkal License/Registration

FAQs on Instant License and Registration

Apply for New License/Registration

Apply for Renewal without Sign in

Modification of License and Registration

Track Application

Already a user? Login

Food Consumer Grievance

File Express Annual Return

Thank
you